

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

As shown in the foregoing AMENDMENT TO THE CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

A. Claim amendments

Claims 1-9 are amended to remove reference numerals. It is respectfully submitted that no new matter is added, since the use of reference numerals does not affect the scope of the claims (MPEP § 608.01(m)).

Claims 1-3, 5, 6, and 8 are further amended for the sake of clarity. It is respectfully submitted that no new matter is added as the minor changes merely provide clarity without changing the scope of the claims.

Entry of the AMENDMENT TO THE CLAIMS is respectfully requested in the next Office communication.

B. Rejection of claim 8 under 35 U.S.C. § 112 second paragraph

Reconsideration of this rejection is respectfully requested, in view of the amendment to claim 8, on the basis that amended claim 8 is clear and definite.

Amended claim 8 requires the pull rod, which is connected to the drive member, to be relatively radially movable with respect to the drive member, as described in the specification as originally filed on page 5, lines 14-16, page 9, lines 4-6, and page 14, lines 12-18.

Accordingly, since amended claim 8 is clear and definite, withdrawal of this rejection is respectfully requested.

2. Rejection of claims 1, 8, and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 6,095,509 (Yonezawa) (hereinafter “the ‘509 patent”)

Reconsideration of this rejection is respectfully requested on the basis that the ‘509 patent fails to disclose each and every recited element of pending claim 1. The remaining claims depend from claim 1, and are therefore patentable as containing all of the recited elements of claim 1, as well as for their respective recited features.

By way of review, the embodiment of pending claim 1 defines a clamping apparatus that includes a pull rod 18 projected toward a leading end beyond a support surface of a first block. An inner engaging member 38 is arranged on an outer periphery of the pull rod. A pressing arrangement 41 is provided to advance the inner engaging member towards the leading end. A plurality of outer engaging members 39 is arranged on an outer periphery of the inner engaging member. Thus, it is clearly understood that three members are recited, in particular a pull rod 18, an inner engaging member 38, and a plurality of outer engaging members 39. It is also clear that these members are arranged in this order from inside to outside with respect to the radial direction.

In contrast, the ‘509 patent fails to disclose at least an inner engaging member and a pressing member, as required by pending claim 1.

Specifically, the ‘509 patent only discloses two members arranged in order from inside to outside with respect to the radial direction, a pull rod 12 and a collet 13 mounted on the outer periphery 12a of the pull rod 12 (Figs. 1(A), 2, and 5-11; col. 4, lines 21-39). The collet of the ‘509 patent directly engages the outer periphery of the pull rod.

Thus, there is no corresponding element in the ‘509 patent to the inner engaging member recited in pending claim 1. Further, since there is no inner engaging member disclosed in the ‘509 patent, there is also no pressing arrangement provided to advance the inner engaging member towards the leading end, as required by pending claim 1.

Therefore, it is clear that the '509 patent fails to disclose every element of pending claim 1, and withdrawal of this rejection is respectfully requested.

Returning to the Office action, on page 2, the action appears to indicate that the pull rod 12 is formed of two parts, a pull rod part 12b and an inner engaging member 12. Assuming for argument's sake that this interpretation is correct, the '509 patent still fails to disclose all of the features of pending claim 1.

As previously discussed, the three elements of pending claim 1 are arranged in the following order from inside to outside with respect to the radial direction, pull rod, inner engaging member, and a plurality of outer engaging members. This is inherent in the recitation in claim 1 that the inner engaging member is arranged on an outer periphery of the pull rod, and the plurality of outer engaging members is arranged on an outer periphery of the inner engaging member.

It is clear from at least Fig. 1(A) of the '509 patent that the input portion 12b (which the action has identified as the pull rod) is axially aligned with the pull rod 12 (which the action has identified as the inner engaging member). Thus, the configuration of the '509 patent has the pull rod 12 axially engaged with the input portion 12b and the collet 13 (which the action has identified as the outer engaging member) arranged on an outer peripheral surface of the pull rod 12. Accordingly, the supposed three elements of the '509 patent are not all arranged from the inside to the outside with respect to the radial direction, as is required by pending claim 1.

Thus, since the '509 patent fails to disclose every element of pending claim 1, and withdrawal of this rejection is respectfully requested.

As mentioned above, applicants submit that independent claim 1 is patentable and therefore, claims 2-9, which depend from claim 1, are also considered to be patentable as containing all of the elements of claim 1, as well as for their respective recited features.

3. Rejection of claims 2, 3, and 7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,095,509 (Yonezawa) (hereinafter "the '509 patent") in view of U.S. patent no. 6,024,354 (Yonezawa) (hereinafter "the '354 patent")

Reconsideration of this rejection is respectfully requested on the basis that the '354 patent fails to provide for the deficiencies of the '509 patent, as discussed above with respect to claim 1.

Accordingly, withdrawal of this rejection is respectfully requested.

4. Allowable subject matter

The applicants gratefully acknowledge the indication of allowable subject matter in dependent claims 4-6. However, in view of the discussion above, it is believed that claim 1, from which claims 4-6 depend, is allowable over the prior art. Thus, the subject matter of claims 4-6 has not been rewritten in independent form at this time.

5. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,



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